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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,994	02/14/2001	Tatsuru Kuwabara	12894/003001/55713-US-TO/	4046

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EXAMINER

GOLD, AVI M

ART UNIT PAPER NUMBER

2157

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/784,994

Applicant(s)

KUWABARA, TATSURU

Examiner

Avi Gold

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 18-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/12/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This action is responsive to the amendment filed on December 12, 2005. Claims 18-20 were added. Claims 1-17 were cancelled. Claims 18-20 are pending.

### ***Response to Amendment***

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Laursen et al., U.S. Patent No. 6,895,234.

Laursen teaches the invention as claimed including a method and apparatus for accessing a common database from a mobile device and a computing device (see abstract).

Regarding claim 18, Laursen teaches a client server system for supplying information to a mobile phone through a provider's server administered by a telephone service provider, the client server system comprising:

an exclusive server storing information including specified information (col. 6, lines 15-20, Laursen discloses personalized information on a host server);

means for specifying the mobile phone by a code identifying a maker of the mobile phone, the code being sent from the mobile phone to the exclusive server through the provider's server, an IP address identifying the provider being sent from the provider to the exclusive server together with the code identifying the maker of the mobile phone (col. 6, lines 21-39, Laursen discloses a unique ID of the phone, which identifies the maker, sent to the server and an IP address sent as well); and

means for supplying the specified information stored in the exclusive server to the mobile phone, the specified information being supplied only when the code identifying the mobile phone maker and the IP address identifying the provider are justified as authorized ones (col. 6, lines 40-45; col. 12, line 56 – col. 13, line 7; Laursen discloses the use of a subscriber number, user information, a user name, and a password for authentication).

Regarding claim 20, Laursen teaches the client server system as in claim 18, wherein:

the information stored in the exclusive server includes public information which is available to both the specified mobile phone and public (col. 12, lines 1-11, Laursen discloses a server with multiple functions).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Laursen et al., U.S. Patent No. 6,895,234, in view of Lawande et al., U.S. Patent No. 6,219,697.

Laursen teaches the invention substantially as claimed including a method and apparatus for accessing a common database from a mobile device and a computing device (see abstract).

As to claim 19, Laursen teaches the method of claim 18.

Laursen fails to teach the limitation further including the use of a header field and a data field which includes the maker-identifying code.

However, Lawande teaches a method and apparatus for operating IP protocol over a high-speed bus such as an IEEE 1394 high-speed bus (see abstract). Lawande teaches the use of header field, data field, and a company ID in a field (col. 17, lines 14-44; col. 18, lines 41-62).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Laursen in view of Lawande to use a header field and a data field which includes the maker-identifying code. One would be motivated to do so because they would help prohibit unauthorized access to the exclusive server.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 18-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,259,405 to Stewart et al.

U.S. Pat. No. 6,363,061 to Yuzawa.

U.S. Pat. No. 6,584,095 to Jacobi et al.

U.S. Pat. No. 6,480,833 to Tsutsumitake.

U.S. Pat. No. 6,138,044 to McGregor et al.

U.S. Pat. No. 5,974,311 to Lipsit.

U.S. Pat. No. 5,524,135 to Mizikovsky et al.

U.S. Pat. No. 5,948,066 to Whalen et al.

U.S. Pat. No. 6,223,291 to Puhl et al.

U.S. Pat. No. 6,115,471 to Oki et al.

U.S. Pat. No. 6,725,033 to Holmes.

U.S. Pat. No. 6,173,316 to De Boor et al.

U.S. Pat. No. 6,363,240 to Ito

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avi Gold whose telephone number is 571-272-4002.

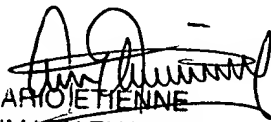
The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold  
Patent Examiner  
Art Unit 2157

AMG

  
ARIO ETIENNE  
PRIMARY EXAMINER